

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAVIER MONGE,

22-cv-5396(KAM)(JRC)

Plaintiff,

-against-

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

KIONE ENTERPRISES INC, and TIPPLING INC.,

Defendants.

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**IT IS HEREBY STIPULATED AND AGREED**, by and between Javier Monge (“Plaintiff”) and Kione Enterprises Inc. and Tippling Inc. (collectively the “Defendants”), through their undersigned counsel that, whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, in accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Complaint in the above-captioned action and all claims alleged therein be dismissed with prejudice, with each party to bear their own attorneys’ fees and costs.

Plaintiff is precluded from bringing any further claims against the Defendants under the Title III of the Americans with Disabilities Act, 42 U.S.C. § 12181, *et seq.* (“Title III” of the “ADA”) and the ADA Accessibility Guidelines, 28 C.F.R. Pt. 36 App. A (“ADAAG”), or any related federal, state or local law, for the period set forth in Plaintiff’s Complaint.

The United States District Court for the Eastern District of New York shall have jurisdiction over the enforcement of any and all settlement agreements and release entered into between the Parties.

**IT IS FURTHER STIPULATED AND AGREED** that this Stipulation may be executed in counterparts with scanned PDF or facsimile signatures treated as originals.

By: /s/ Jennifer Tucek

Jennifer E. Tucek, Esq.  
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By: /s/ William Li

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